IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 7TH JUNE 2007 / 17TH JYAISHTA 1929

Crl.Rev.Pet.No. 2241 of 2007()

S.T.1593/2006 OF JUDICIAL MAGISTRATE OF FIRST CLASS-I, S.BATHERY
CRL.APPEAL NO.193/06 OF SESSIONS COURT, WAYANAD

REVN. PETITIONER: APPELLANT/ACCUSED:

SAJEER V.C., S/O. ABDULLA,
AGED 33 YEARS, RESIDING AT VARIYIL VEEDU,
PANEMARAM, OLD NADAVAYAL ROAD, PANEMARAM.

BY ADV. SRI.P.K.RAMKUMAR

RESPONDENTS: RESPONDENT/COMPLAINANT & STATE:

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1. K.C. MUNEER, S/O. K.C.MOIDU HAJI,
RESIDING AT KUNNOTHPARAMBATH HOUSE,
HIGH SCHOOL ROAD JUNCTION, PANEMARAM.

2. STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 07/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

CRL.R.P. NO.2241 of 2007

Dated this the 7th day of June, 2007

ORDER

The revision petitioner stands convicted for the offence under section 138 N.I.Act and sentenced to imprisonment till the rising of the court and to pay a compensation of Rs.30,000/- to the complainant vide section 357 (3) Cr.P.C and in default to undergo simple imprisonment for 3 months. On a consideration of the decisions of the courts below, I find that the findings are supported by proper reasons. No reply notice was sent and no defence evidence was adduced to rebut the statutory presumptions. I find no reason to interfere. The conviction is confirmed.

2. On a consideration of the plea of the counsel for the revision petitioner, the revision petitioner is granted 3 months' time from today onwards to pay the amount of compensation. The revision petitioner shall appear before the JFCM-I, Sulthan Bathery on 10.9.2007 to receive the sentence.

The Crl.R.P is disposed of accordingly.

K.R.UDAYABHANU,JUDGE.

Kvm/